

December 18, 2019

To whom it may concern:

I am writing to you to demand that The Accelerated Schools cease and desist from violating the Brown Act as described below and to request that, in order to avoid costly and unnecessary litigation, you respond per the Brown Act [at California Government Code §54960.2](#) with an unconditional commitment to so cease and desist.¹

1 Background

1. Charter schools in California are private entities made subject to the Brown Act by state law and, for those authorised by the Los Angeles Unified School District, by the terms of their charter.

2 Violation of the Brown Act on October 24, 2019

2.1 The facts

2. On October 24, 2019 I attended a public meeting subject to the Brown Act at The Accelerated Schools facility located at 3914 S. Main Street in Los Angeles, California.
3. I was informed by an employee of The Accelerated Schools that I was required to sign my name to a sheet in order to be admitted to the part of campus where the meeting was being held.
4. When I objected the employee stated that I was required to sign in to enter campus and that if I did not sign in I would not be allowed to attend the meeting.

2.2 The law

5. The Brown Act at [§54953.3](#) states:

A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

2.3 Conclusion

6. On October 24, 2019 The Accelerated Schools violated the Brown Act at [§54953.3](#) by holding a meeting in a facility which required people to sign in as a condition precedent to attendance at the meeting.

¹ Please note that all citations to the Brown Act in this document are to the California Government Code.

3 The harm done

7. This violation is not just incidental, technical, nor harmless. Rather, it implicates fundamental constitutional rights that the people of California have reserved to themselves. The Brown Act at §54950 states:

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

8. By holding meetings in a facility entry to which is conditioned on signing in The Accelerated Schools deprives citizens of the fundamental constitutional right to participate anonymously in public meetings and to make anonymous public comments on the proceedings.

4 Demand for relief

9. The Accelerated School’s failure to comply with the requirements of the Brown Act constitute a grave betrayal of both fundamental and consequential principles of our government. It is therefore in the best interest of all concerned that the school not only cease and desist from such violations in the future but that they make a public commitment to ceasing and desisting.
10. If The Accelerated Schools responds to this demand within 30 days of today’s date with a letter expressing an unconditional commitment to cease and desist from all future violations of this type in substantially the form given by the Brown Act at §54960.2(c) I will consider this matter at an end. Please send this letter to me by email at adrian@foutu.org and by postal mail at:

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Los Angeles, CA 900■■■

For the sake of efficiency please either confirm my receipt of this letter or send it in such a way that its arrival is trackable.

11. If The Accelerated Schools refuses to so respond or so responds after 30 days have passed I will instruct my attorneys to proceed to “file an action to determine the applicability of this chapter to [the above-described] past actions” under §54960.2 of

the Brown Act. If I prevail in that action the Brown Act at §54960.5 allows for the court to award costs and reasonable attorneys' fees to me.

Thank you for your prompt attention to this important matter,

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